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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/896,488	07/18/97	LIN W	6077-01

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MM41/0915

EXAMINER
MACK, R

ART UNIT	PAPER NUMBER
2873	#2

DATE MAILED: 09/15/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/896,488

Applicant(s)
LIN

Examiner
Ricky Mack

Group Art Unit
2873



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-10 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-10 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Drawings

1. The drawings have been objected to by the Draftsperson under 37 CFR 1.84 or 1.152 as indicated on the NOTICE RE PATENT DRAWINGS, PTO-948. CORRECTION IS REQUIRED.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, 4, 7 and 10, line 2 of each, the word "conventional" renders the claim indefinite because the scope of conventional is not clearly defined and with respect to time, it is considered relative.

In claims 2, 5 and 8, the phrase "may be" renders the claim indefinite because is not considered to be a positive limitation.

Claims not specifically mentioned are rejected based upon its dependance from a rejected claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Secor (5289321).

Secor discloses (refer to figures 5, 6 & 6A), as in claims 1, 4, 7 and 10, a two way mirror suitable for providing a reflected image and a video image and further comprising a video monitor/camera (62 of fig. 7), as further cited in claims 3, 6 and 9, with structure that is considered inherent including a flat transparent plate (the face of the mirror is transparent), a reflective film (inherently a rear view mirror has a reflective film), and a casing which is conventionally used in rear view mirror assemblies. The mirror of Secor is inherently made of glass or plastic (glass and plastic are widely used optical devices such as Secor's), as in claims 2, 5 and 8.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schmidt (5570127) and Vitito (5775762) are cited for disclosing a vehicular rear viewing device which similarly provides video image.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky Mack whose telephone number is (703) 305-6984. The examiner can normally be reached on Monday-Friday from approximately 7:00 a.m. to 4:30 p.m.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956. The Group facsimile number is (703) 308-7724.



Ricky Mack
September 9, 1998



Georgia Epps
Supervisory Patent Examiner
Technology Center 2800